

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSHUA LOPP #654488,

Plaintiff,

v.

HEIDI WASHINGTON et al,

Defendants.

Case No: 1:22-cv-1135

HON. ROBERT J. JONKER

**ORDER APPROVING AND ADOPTING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on January 23, 2025 (ECF No. 62). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 62) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file a supplemental complaint (ECF No. 41) is **GRANTED** and the Clerk is directed to docket the complaint (ECF No. 42-1) as the operative pleading in this action; Counts One, Four, Seven, Eight and Ten, and Defendants Washington, Morrison and Losinski, are dismissed for failure to state a claim upon which relief can be granted; the class allegations are dismissed; the state law claims, Counts Two and Three, are dismissed without prejudice. The Court will proceed on Counts Five, Six and Nine of the newly filed complaint.

Dated: February 13, 2025

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE